P28
(Incomplete)

G. R. S. IX-5]

Previous references.

File No. 1 of 90.

191

Serial Nos. 1-15

(Mamul)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-15.

~~Part~~ B ~~for~~

SUBJECT.

Complaint by the ryots of Malavalli against the levy of cart tax on carts used solely for agricultural purposes

---

Jud
K.R.

W D 88 -GPB—50,000—24-7-15

8) Cart-Tax

Cart-Tax levied on carts kept within municipal limits but used for agricultural purposes.

Case of Malvalli

Reports

(by reports of Malvalli complaint against the levy of cart tax on carts used solely for agricultural purposes.

(Incomplete)

Petition dated 15th May 1891 from the Ryots of the Malavalli Taluk Kasaba Mysore District. Complain that:—

(1) That the municipal authorities of Malavalli have imposed a cart tax of Rs 2/- per cart on all carts which Petitioners are using for agricultural purposes. That on a similar Complaint of the ryots of Harihar and Davengere the cart tax imposed on them was reduced. That on Petitioners drawing the Mysore Deputy Commissioner's attention to the precedent and soliciting exemption, Petitioners were given an endorsement to the effect that as they gain their livelihood by hiring out their carts, Petitioners prayer could not be granted.

(2) Petitioners appealed

against

against the said order enclosing copy of the endorsement in question, as it was insufficiently stamped, the petition was returned and Petitioners having affixed the necessary stamps resubmitted it, but no orders have been passed as yet.

(3) That petitioners use their carts for no purposes other than carrying manure to their fields and bringing from thence grain &c: when the Davengere and Harihar carts which are four times bigger than the Petitioners have been exempted, they fail to see any reason which they should also be exempted

(4) Some of the Petitioners being unable to pay the tax, sold their carts. The Shekar and Shanbogue even made enquiries into Petitioners circumstances and

obtained a Mahazer from them. They also represented their case to the Jamabandy officer who took no notice of their grievance.

(5) Through false representations were made to the Deputy Commissioner stating that Petitioners gain their livelihood by hiring their carts. Petitioners submit that if proof of this be given they are ready to undergo any punishment.

(6) Pray that the tax imposed on manure carts similar to the indulgence conceded in the case of the Ryots of Davengere and Harihar may also be granted on them and that orders be issued to the Taluk authorities not to molest the Petitioners till the appeal is disposed of.

Chief Bailiff -

D.K.W.D.J. requiring what action be taken on his letter dt 25 May 91 - The Messrs Cama appeared before D.J. & complained that certain persons were beating after them & that the Messrs & his men in Aberdeen had written

Translated

N.E. Jud Dept

vide Devan's order

D/5 -

Dewan Bahadur's order communicated to the D C vide Docket No 2142 d/25-5-91 herewith submitted -

Petn's appeal on this subject No. 35 of 1891/2 was submitted to Mr. Chentsal Rao Pantulu on 2 -4-91. It is still pending.

Submitted

16/6/91 AR

Submitted

CHIEF SECY.'S DEPT.

Submitted to the ~~Deputy~~ Secretary
for Chief Secretary
Coimbatore

For orders.

2 files relating thereto
1 ending with D/ no 1884 28th
Nov^r 91
2^d Ending with the D/ no
No 467 of 30 Aug^t 91

Subject Municipal
Cart tax on carts kept
within municipal
limits but used for
Agricultural purposes

People in Malavally
Complain against
the levy of the tax on
Carts used solely for
agricultural purposes.
The standing orders
do not exempt such
Carts; but exemption
is asked for on the analogy
of "Fallow Bandis" of the
Mahsul.

The Case is fully
explained in French
Rocks letter dated

(General Serial No. 32.)

189

The appeal is within time
Petition sufficiently stamped
Copy of order produced
Claim for remission of
Cart tax
Submitted to the Council

20/4/91

No. 35 Appeal 2

Name of Petitioner.

Beeray Gowda and 41 others

Village. Mallavali

Taluk. Mallavali

District. Mysore

Date of Arzi. 2nd January 1891

Date of Receipt. 5 January 1891.

Date of Disposal.

No. of Enclosures.

Call for the
Proceedings
22/6/91

ABSTRACT.

Pray to present this appeal petition for the removal of Municipal tax upon Village Carts.

These Carts they say are Solely used to facilitate the purposes of cultivation and for none other.

The tax per cart is 2 Rupees. Some are quite unable to pay this, while others have to pay in the shape of Cart tax a higher amount than what they pay in the shape of L. Kandayam. This, they state, is very troublesome.

When, on a previous occasion, they had forwarded to this Office a petition to the same effect —

effect, they were ordered (as per endorsement No: 1067) to represent their case to the Deputy Commissioner.

Accordingly they represented their grievances to the Deputy Commissioner of Mysore and also to the Officer in Charge of the French Rocks Sub-division.

On this the Deputy Commissioner issued an order No: 383 dated 7-12-90 which shows that the Deputy Commissioner is of Opinion that these carts are used for other purposes than cultivation, such as, traffic &c.

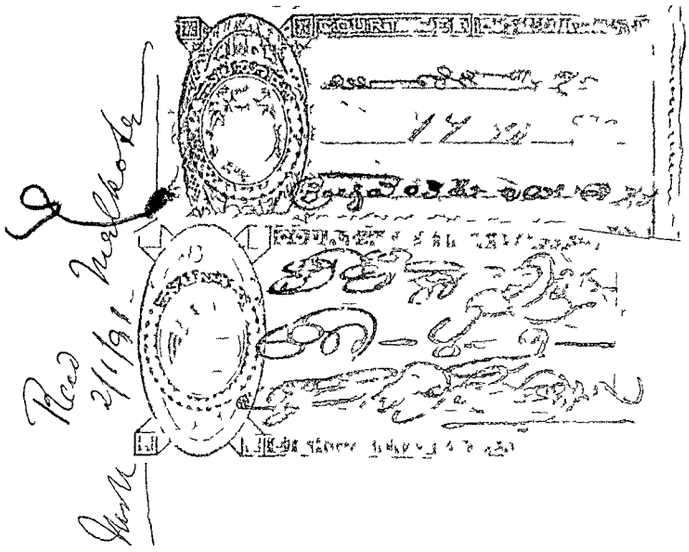
Against this Opinion the inhabitants beg leave to protest. They affirm, that, should they be found to use these carts for other purposes than that of conveying manure to their lands or produce of the lands to their respective homes, they would be quite ready to undergo any punishment which the Govt may be disposed to inf on them.

In Conclusion they pray for relief by removal of the said heavy cart tax.

They beg to urge that they are will not be the first to claim the concession because, on similar grievances the people of the Chitaldroog district have had like relief.

A copy of the Deputy Commissioners order No: 383 is herein enclosed for perusal.

In reply to the petition submitted to this office by the above Ryots on 16th to 11th October, it is hereby ordered that they should represent their case before the Deputy Commissioner for his decision; the petition is returned.



Annexure No. 35

OFFICE OF THE
26 MAR. 91
RECEIVED

By Order

Under Secretary

Dated 26 March 1991

Dr. Mina Miller

Dr. Mina Miller

Dr. Mina Miller

Dr. Mina Miller

Dr. Mina Miller

Dr. Mina Miller

Dr. Mina Miller

Dr. Mina Miller

Dr. Mina Miller

Dr. Mina Miller

No 383

Mr. Alexander Hamilton

Treasury Department

C. Forest
106.

By order

Chief Secretary

Two Rupees Stamp affixed.

Thumb impression of
the executant taken
Court before him
impression taken
in his presence.

1891/92

From
The Chief Secy: to the Dewan
of Mysore

To
The Dy: Commr
Mysore Dt

Dated 25
Despatched 25 May/91.
Received

Enclosures No.
General No. 2142 R
P No. 44

Petition No. 337/91 the 15th Inst
from Veere Gowda & other
Ryots of Kasaba Malvalli
praying that the tax of Rs 2/- im-
posed on their manure cars
by the Municipality may be
abolished.

With reference to the
above the Dy: Commr is re-
quested to stop coercive
measures pending the
disposal of the appeal.

By order.

Drafted as per
Dewan's orders.
25/5.

Chief Secy

131
25-6-91

From

To
The Deputy-Commissioner
Mysore District

Dated Camp Mysore. 22nd June/91

Despatched 23rd June 91-

Received

Enclosures No.

Camp
~~General~~ No. 56
No.

Has the honor to
enquire what action has
been taken on this office No.
2142/44 dated 25th May 1891 in re
the imposition of a tax of Rs 2/-
by the Malavalli munici-
-pality on the manure carts
of Veera Gowda and other
ryots of Kasaba Malavalli,
and to state that the pe-
-titioners came up here two
days ago and complained
that coercive processes
were

were being taken against
them and that the orders
to hold them in abeyance
had not been given effect
to. The Ulsty Div Head Reps
to Camb/Spri By order

Chief Secretary

Camb/Spri
Some here & send
to Belfast Dvn

OFFICIAL MEMORANDUM

No. [illegible] 35

dated 28 January 1891

From the Revenue Officer Beeravy Gowda

Head 41 others of Kasba Mallavali,

To the same No. 532/ of 4/1891 P. 208

Forwarded, ~~to-day~~ with the enclosures, to the Dy. Comr, Mysore Distt., for the submission of Exors and a pieces thereof

By Order

for Chief Secretary

BANGALORE,
2/2/1891

Ty
Proceeds as
in C's order
[illegible]

391 No. 21 of 29/6/14

From

The Deputy Commr
Mysore District

To The Chief Secretary to Government
Bangalore

Dated 26th
Despatched 27th } June
Received

Inclosures No.

General No. 262-7)
No.

His docket-camp
No. 56 dated 23rd instant
enquiring what action
has been taken on Govern-
ment order No. 2142
dated 25-14-May 44 last-
regarding the stoppage
of coercive measures
for the recovery of cart-
tax imposed on Veerasaiva
and other sects of Malavalli
pending the disposal
of their appeal &c—

With reference to the
above has the honour to
state that order No. 2142
was received by the 44
undersigned in Camp

al- Bargi on the 29th Instno and immediately order No 141 dated 2nd Instant was issued to the Shahvalli Amildar through the Sub Division Officer not- to take coercive measures for the recovery of the Cart-tax.

On receipt- of the docket-under reply the Sub Division Officer has been asked to report- the date on which he received the order and the date- on which he sent- it- to the Amildar and his reply will be submitted.

Orders have now again been issued to the Amildar direct- from this office to stop coercive measures.

Yr.

D. Ramachandra Rao
Offg Deputy Commissioner
Bijapur District

From

To

The Chief Secretary to the Government of Mysore

Dated 10th
Despatched
Received } July

Enclosures No. 2

General No. 308
No.

In continuation of this Office no. as per margin, has the honor to submit herewith Malwalli Amildar's Report No 82 dated 24th ultimo, in reply to the Chief Secy's: order No 8 dated 19th idem, reporting that coercive measures have not been taken for the recovery of Cart tax from Kran Gowda and others

W. Lewis
Dy Commissioner
Mysore

Chief Secy
Yes. Kindly
Direct the main as
Queries - What
date has been
fixed for hearing the
case in which the
Dy C replied to our No 7
of 22d June - 31/7

No 275 of 28-6-91
Reply in Dept Copies

The Revenue Commissioner's called for in
D.O. 3 of 22d June/91 (X) as not been
received yet - No date as been
fixed for hearing -
3/8/91

Measurement Amildars
every third day till
the report, & let me know
if 3 Amildars finish -
Perhaps these papers into
the file
4/8

13-7-91 15-7-91 13-7-91

From

The Chief Secretary to the Dewan of Mysore.

To

The Deputy Commissioner
Mysore District.

Dated 4th

Despatched 4th August 1891

Received

Enclosures No.

General No. 5321. K
P No. 10 &

Memo

This Office No. 73 dated

22d June 1891 forwarding Petition No 35 dated 2d January 1891 from Beeray Gowda and others of Kasba Mallavalli for submission of Proceedings.

~~and subsequent reminder marginally noted~~

Has the honor to draw attention to the above and to request a very early reply

By Order

Under-Secretary.

drafted as per Chief Secy's order.

HR

HR

From

The Chief Secretary to the Dewan of Mysore

To

The Dy Com^r Mysore Distt

Dated 7th

Despatched 10th August 91

Received

Enclosures No.

General No 5612 Re
P No. 115
heard

This Office No. 73 dated

22nd June 1891 forwarding Petition No 35 d/2nd Jany 1891 from Beeray Gowda & others of Kasba Challakere for submission of Proj^s

and subsequent reminder marginally noted

Has the honor to draw attention to the above and to request an early reply

"By Order"

Asst

Under Secy

No 5321 / P108 d/ 4th Sept 91

From

The Chief Secretary to the

To The Deputy Commissioner
Mysore District

Dated 13
Despatched 20 } August 1891
Received

Enclosures No.

General No. 5757 R
P No. 117

Memo
This Office No. 73 dated
22d June 1891 forwarding
Petition No. 35 of 2nd Jany
1891 from Beeray Gowda
and others of Kasba Inabvalli
for submission of Proceedings.

---

and subsequent reminders marginally noted

Has the honor to draw attention to the above and to request a very early reply

"By Order"

Under-Secretary.

Sir

The Deputy Comm's report upon this Case is not yet Submitted to Councillor.

Yr very Obedt Servant
S Iraramaffah

28/11/91

Sir
Refce Subd
28/11/91

X
No 5321/P. 108 dy 4th August 1891
No 5612/P 115 dy 7th August 1891

Dr Mr Chandra
Asst Commr Nanjangud -
Pls see this case when
heard in court received?
28/11/91

P J C.

(General Serial No. 30). P.37/1436

1891

From The Asst Commissioner

To The Chief Secretary to the Govt of Mysore

Dated 26th August
Despatched
Received

Enclosures No. 6

General No. 453
No.

Submitting report about the levy of Mohaturfa tax on carts at the Malvalli Municipality

Peter Brown
Asst Commr
5/8/91

V. Iyaudra

Please send the connected file for submission to the Council. 8/9/91

AR

AR
31-8-91

No 453.
Sn 6

Juypore Commissioner's Office
Dated Juypore 26th August
1891.

From,

D Ramacul Aswhoine
Ag Deputy Commissioner

To,

The Chief Secretary to the
Government of Juypore

Sir,

With reference to your official Memorandum, No 73 dated 22/27 June 1891 received in this office on the 3d July, forwarding for submission proceedings with precis a petition from the ryots of Malwalli about the imposition of cart tax, I have the honor to state that on receipt of the above, the Sub Division Officer was asked to submit the whole proceedings, and since 3 reminders were sent on the subject. He at last replied in his No 332 dated 18th Instant that the proceedings referred to were submitted with his office letter No 156 dated 22/

Sir,
Memo No. 73 was a reminder to the Chief Secretary on 15/8/91 in which he was informed that No. 5751 of 13/8/91 together with other papers...

November 1890 - As no proceedings excepting a single petition to the address of the deputy Commissioner in respect the subject of the letter of November quoted, the Sub Division Officer was again requested by a letter as well as a telegram to send up the whole proceedings in original, which I have not yet received. It will be seen from my letter of November 1890 as Sub Division Officer that I was against exempting the carts of the kind in use in Malwalli Municipality from cart tax.

2- Upon this report Mr. Meiklejohn gave an endorsement to the petitioners in terms of the above letter -

3- The petition which forms enclosure to letter no 156 as well as other papers received with the

Memo under reply we have
submitted.

4. The original record
will be submitted with all
called for in the Memorandum,
reply on receipt of the
from the Sub Division.

I have the honour
to be,
Your most obedient
servant,

D. Thomas Smith
Capt. R.E.

Sub Division office French Rocks

No 156

Dated Camp Siva Samudra
the 28th November 1890.

To

The Deputy Commissioner
Mysore District

Sir,

With reference to your Canarese Yadoe No 306 of the 17th ultimo, (herewith returned) anent the complaint of the ryots residing in Cusba Malavalli against the taxation of their carts kept for agricultural purposes, I have the honor to report that in the Municipal Meeting held in February 1889 the Amildar and Vice President of Malavalli brought to notice that several waddara carts kept for agricultural purposes by ryots within the Municipal limits, were not taxed - The Sub Division officer and President of the Municipalities ordered that all such carts should be taxed.

The Petitioners produce an article in the Vratanta Patrica of 7th August 1890, and under the authority of a Concession said to have been granted in favor of "Hale Bandi" drawn by 4

to 6 bullocks, used in the Talukas of the Chittaldrug District, pray for simi-
-lar Exemption in favor of their carts.

The "Hala Bandi" referred to by the Petitioners is quite a different kind of Vehicle and it cannot be made use of for any other purpose than that of carting manure to fields and bringing straw &c. home. After this is over, they are taken to places and kept at home till the next season. The carts for which Petitioners claim Exemption are not only used for agricultural purposes but also hired for carrying articles of trade from place to place. They are called "Wadder Bandies" in favor of which no Exemption can be made under the rules in force vide General circular No. 3 dated the 27th September 1871. There seems to be no special reason for Exempting carts belonging to the petitioners from payment of the cart tax; because carts of all kinds whether used sole for agricultural purposes or otherwise, are liable to pay cart tax in Municipal Towns, vide Government Proceedings No. 6346-54/136 dated 10th February 1885. If I am not misinformed, all solid wheeled or waddar

see page 126 Rev Misc 887

In pursuance of my letter of 2nd Oct last per Mr. Donald 5/12

carts are taxed in other municipal Towns of the Mayone District.

I have the honor to be
Sir
Your most obedient servant
(Signed) D. Namaan
Sub Division Heir
French Rocks

"Copy".

D. Namaan
Hg Deputy Commissioner
Mayone Dist.

AH

(General Serial No 30).

194
Mysore
16 9 91

1891.

From

The Deputy Commissioner
Mysore District

To

The Chief Secretary to
Government
Mysore

Dated 28th 9

Despatched

Received 30 SEP 1891

Enclosures No. 1 p 43

General No. 275
No.

In continuation of
Camp Reg. No. 125, 128 & 129
this Office No 262 dated
27th instant has the honor
to submit for his information
copy of docket No 171
dated 27th instant from
the Sub Division officer
French Rocks giving the
dates on which he received
and despatched the orders
regarding the holding in
abeyance of coercive
measures for the recovery
of Cart tax due for
Veerasowda and Nos.
Inputs of Malavalli Taluq

[illegible]
Deputy Com
Mysore

Current Records

Please put up previous reference
& submit to Chief Secy early

16/9/91

Re 1-90
Le 13

92 Sz
22-9-91 22-9-91

1891

From

The Sub Division Officer

French Rocks

To The Deputy Commissioner

Mysore District

Dated 27th June.

No 171

His Memo No 209 of Yesterday, enquiring the date on which the order referred to was received in this Office and despatched to the Taluk.

In reply, has the honor to state that the above order was received on the 5th Instant during the illness of the undersigned and sent to the Taluk on the 16th The Amildars' report carrying out the orders was received yesterday.

(Signed) D. Devaraj Urs

Sub Div Officer.

Copy

D Nanjundiah

Off Deputy Commr

Mysore

Yn

arrent Records

The references
submitted to

on 18/8/91 with
his stating that
to be informed if the 3
this office, proves
The file has not as
returned to the P
As the case cannot
mitted to the Council
references this may be
to Mr. V. Naidu Garu for
careful search. K.G.
27/10/91

Noted in Office
EP 28/10

To

The Current Records

The previous reference
were submitted to the Chief Se
on 18/8/91. (Please see remarks m
the letter No. 453 dt 26/8/91 from
Bayonne, herewith put up) The f
may be sent back to Mr. V N
for reference

23/9/91

Current Records & Retn Depte

The refers connected with this are
among Chief Sec's papers - Ple
return your Regr carefully on
receipt.

24/10/91

No 467

n: 1 Precis to file in a separate packet

Mysore Commissioner's Office
Dated Allmore 30th August
1891

From

I. D. Nanacutty Esqre
Asst Commissioner

To

The Chief Secretary to the
Government of Mysore

Sir,

In continuation of my letter No. 5162 463, dated 26th instant, forwarding report on the petition of Bore Gowda and others of Malvalli, I have the honor to submit vernacular papers with English precis connected with the imposition of cart tax, received with French Sub Divisional Officer's docket No A dated 27th instant.

I have the honor to be,
Sir,
Your most obedt Servt

D. Nanacutty
Asst Commissioner
Mysore Division

Precis of the papers connected with the petition of Boie Gowda and others of Malavalli regarding the imposition of Municipal Tax on Waddur Carts

---

The following resolution was passed in the Municipal Meeting at Malavalli on the 7th May 1889.

Para 4. The Sub Division Officer's order regarding the imposition of tax on manure carts was received at the end of the year 1888-89 and that it would be inconvenient to carry out the order as proper enumeration of Carts had not been made, and consequently it would give room for complaint, and the Sub Division Officer might be requested to

postpone the levy of the
tax till next year Virodhi,
1889-90. The Sub Division
Officer approved the
proposal contained in
the above, and directed
that proper arrangements
should be made for a
careful examination
of the number of carts
during the Jamabandi
of Virodhi.
2. Accordingly tax was
imposed in the Jama-
bandi of 1889-90 (Virodhi),
(vide Khaneshumari
account and Kamani
Jasti Takta). Upon this
the ryots complained
to the Deputy Commissioner
that they have been
unjustly taxed and
the Deputy Commissioner
forwarded their complaint
with his yadi No 306
dated 17th October 1890,

× marked in blue pencil.

to the Sub Divisional Officer for report, who submitted a detailed report vide letter No 156, dated 28th November 1890, whereupon an endorsement to the effect that the imposition of the tax was correct, was given to the parties. Copies of this portion of the correspondence have been forwarded with No 463 dated 26 instant

3. On the 12th March 1891 the Amildar of Innelli reported to the Sub Divisional Officer that no final orders on the subject had been received to his report No 303 dated 10th January 1891 bringing to notice the complaint of the ryots praying for remission of cart tax, and solicited early

× not received in this office.

The Sub Division Officer in forwarding the above to the Deputy Commissioner, invited his attention to letter no 1569 of 28th November 1890, and solicited orders as to whether the cart tax should be collected or not.

4. On reply the Sub Division Officer was asked to issue orders to the amildar to collect the tax and that the amount so collected might be refunded if the same be remitted by Government.

Vide Qadi No 53/102 of 28-4-91

5. On receipt of the Chief Secretary's no 2142-44, dated 25th May last, an order was sent to the amildar through the Sub Division Officer, to stop coercive measures

and the same was
reported to Govern...
in this office on 24th
dated 26th ... 1911.

D. Munnecullen
Asst Secy Govern...
Negro Affairs

(General Serial No. 30).

5268

SEP 9

1891. P. 39

From The Officiating Commissioner Mysore District

To The Chief Secretary to the Government of Mysore

Dated 30th
Despatched
Received } August 1891

Enclosures No. 1 Press cuttings

General No. 467
No.

Submits various papers about the imposition of cart tax on Bore Goods and others of Bellary, Kolar & Hutti Gold-fields.

Acknowledge

Submit to the Chief Commissioner with Minute

6/8/91

OFFICE OF THE CONTROLLER, MYSORE.

Bangalore Nov 28 1891.

Dear Sir

In reply to your reminder no 5751/117 of 15 august last letter no 453 was despatched on 26 idem & letter no 467 of 30 aug 1891 was also sent in continuation of the same. They referred to the misplacing of Mahatmya in wooden Cots in Melur Kasba

Yours very truly
Srinivasachar